

## Remarks

### I. Introduction

This is in response to the Office Action dated March 21, 2006.

The Office Action rejected claim 46 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,961,954 (Maybury). Claims 1, 6, 7, 16, 18-21, 24, 25, 27-29, 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,956,573 (Bergen) in view of U.S. Patent No. 6,810,526 (Menard). Claims 2-5, 10-15, 22, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Maybury. Claims 8 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent No. 5,614,940 (Cobbley). Claims 9 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent Publication No. 2002/0152477 (Goodman). Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of U.S. Patent Publication No. 2001/0013123 (Freeman). Claims 33-37 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury. Claim 38 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and further in view of U.S. Patent No. 5,805,763 (Lawler). Claims 39 and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and further in view of Menard. Claims 42 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Menard and further in view of U.S. Patent Publication No. 20005/0076378 (Omoigui). Claim 43 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Menard and further in view of Goodman. Claim 45 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Omoigui and further in view of U.S. Patent No. 6,289,346 (Milewski). Claims 47 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Menard. Claim 49 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in

view of Menard and further in view of Omoigui and U.S. Patent Publication No. 2004/0117831 (Ellis), which incorporates U.S. Patent Application No. 09/378,533 (McKissick). Claim 50 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Menard and further in view of Omoigui. Claim 51 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Bergen.

In response, Applicants have amended claims 1, 9, 21, 25, 26, 32, 33, and 46. Applicants have canceled claims 7, 8, 31, 48, and 49. Claims 1-6, 9-30, 32-47, and 50-51 remain for consideration.

## II. Objection to Specification

The Office Action objects to the Specification as failing to provide proper antecedent basis for claim 48. In response, Applicants cancel claim 48. As a result, Applicants request withdrawal of the objection.

## III. Information Disclosure Statement

The Office Action states that U.S. Patent No. 6,324,388 cited in an Information Disclosure Statement (IDS) has been considered but that the patent is to Souetinov instead of Wood et al., which was listed in the IDS. Applicants concur that the inventor of U.S. Patent No. 6,324,388 is Souetinov and not Wood et al.

Further, with respect to the IDS filed on 2-17-05, the Office Action states that it has been placed in the file but the information referred to therein has not been considered. Applicants request that the Examiner confirm that the references listed on page 1 of the IDS were considered because page 1 of the IDS cites issued U.S. patents and a foreign patent document that was included in the submission of the IDS.

## IV. Rejections under 35 U.S.C. §102

Claim 46 was rejected under 35 U.S.C. §102(e) as being anticipated by Maybury. In order for a claim to be anticipated under 35 U.S.C. §102, **each and**

**every** limitation of the claim must be found either expressly or inherently in a single prior art reference. PIN/NIP, Inc. v. Platte Chem. Co., 304 F.3d 1235, 1243 (Fed. Cir. 2002). In the present case, Maybury does not show each and every limitation of amended claim 46. Therefore, Applicants request the withdrawal of the rejection under 35 U.S.C. §102(e).

The present invention is generally directed to delivering a customized video presentation to a user. The method can include searching, based on a user criterion, at least one video file to thereby identify a subset of the video file containing portions corresponding to the user criteria. The method further includes calculating segments of the video file. The segments include the corresponding portions and portions adjacent to the corresponding portions, where the adjacent portions are relevant to the corresponding portions and the user criteria. Once the search has been performed and the segments calculated, the segments may be accessed from the video file. Thereafter, the access segments may be combined into the customized video presentation, which can then be made available to the user.

Maybury is directed to a technique for automated analysis of multimedia, such as, for example, a news broadcast. The system can summarize multimedia data so that it may be visualized, searched, and disseminated. In one aspect, the invention automatically correlates event cues in multiple media streams to improve story segmentation performance by using a finite state machine enhanced with temporal information. (Col. 2, lines 41-58). The invention also provides for integration of image, audio and language processing techniques to support automated story summarization. The system is capable of generating multimedia summaries and trend analysis tailored to a user query. (Col. 2, line 64 – col. 3, line 2).

Amended claim 46 claims the limitation of:

wherein the clip pointers are identified to the user according to a predetermined schedule.

The Office Action admits that Maybury does not disclose this limitation. (Office Action, page 25). Independent claim 46 is addressed again in the §103 section below because Applicants have incorporated dependent claim 49 into claim 46 and dependent claim 49 was rejected under §103.

#### V. Rejections under 35 U.S.C. §103

Claims 1, 6, 7, 16, 18-21, 24, 25, 27-29, and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard. Claims 2-5, 10-15, 22, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Maybury. Claims 8 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Cobbley. Claims 9 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Goodman. Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Menard and further in view of Freeman. Claims 33-37 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury. Claim 38 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and further in view of Lawler. Claims 39 and 41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and further in view of Menard. Claims 42 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Menard and further in view of Omoigui. Claim 43 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Menard and further in view of Goodman. Claim 45 was rejected under 35 U.S.C. §103(a) as being unpatentable over Bergen in view of Maybury and Omoigui and further in view of Milewski. Claims 47 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Menard. Claim 49 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Menard and further in view of Omoigui and Ellis, which incorporates McKissick. Claim 50 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of

Menard and further in view of Omoigui. Claim 51 was rejected under 35 U.S.C. §103(a) as being unpatentable over Maybury in view of Bergen. None of the cited references, either alone or in combination, disclose Applicant's invention.

Bergen is directed to a method and apparatus for comprehensively representing video information in a manner facilitating indexing of the video information. In particular, Bergen describes dividing a continuous video stream into a plurality of video scenes; and at least one of the steps of dividing, using intra-scene motion analysis, at least one of the plurality of scenes into one or more layers; representing, as a mosaic, at least one of the plurality of scenes; computing, for at least one layer or scene, one or more content-related appearance attributes; and storing, in a database, the content-related appearance attributes or said mosaic representations. (Abstract).

Menard describes a system for monitoring broadcast channels, including a device for receiving a plurality of broadcast channels, a central search engine operable to search the received channels for a match with a pre-stored profile, a central memory connected to the search engine for storing the profile, and a plurality of user terminals connected to the search engine over a network.

Amended, independent claim 1 claims the limitation of:

notifying the user that the customized video presentation is available for access from a remote location.

The Office Action states that "Bergen and Menard are silent on periodically sending data or notification signal." (Office Action, Page 13). The Office Action then relies on Cobbley to cure the deficiencies of Bergen and Menard.

Cobbley describes a method and apparatus that generates and transfers a stream of broadcast information which includes multiple video and audio information segments to a receiving device. Once received, the segments are stored in a cache and indexing information associated with the segments is made available to end users of the apparatus. (Abstract). Cobbley also discloses that "each user of a client system 140 can choose certain subject areas to be

received periodically. For example, users may request that news headline titles be received every two hours.” (Col. 9, lines 64-68).

Cobbley does not, however, disclose “notifying the user that the customized video presentation is available for access from a remote location.” Cobbley describes transmitting actual data (e.g., news headline titles) to the user periodically. Cobbley does not, however, disclose notifying the user that a customized video presentation is available for access from a remote location, as claimed in amended, independent claim 1. Cobbley transmits actual data and does not notify the user of data being available for access from a remote location. Therefore, independent claim 1 is allowable over the cited art.

Amended, independent claim 21 claims the limitation of:

wherein the video server notifies the user when the customized video presentation is available for access from a remote location.

Similarly, independent claim 33 claims the limitation of:

wherein said software client receives at least one notification that the customized video presentation is available for access from a remote location.

As described above, none of the cited references disclose these limitations. Therefore, independent claims 21 and 33 are allowable over the cited art.

Amended, independent claim 46 claims the limitations of:

identifying, in response to a request from the user, clip pointers that identify, based on text associated with video inputs, beginning and end portions of video clips within the video inputs; ...

wherein the clip pointers are identified to the user according to a predetermined schedule.

Independent claim 46 was amended by incorporated dependent claim 49 into claim 46. The Office Action rejects claim 49 under §103 as being unpatentable over Maybury in view of Menard and further in view of Omoigui and Ellis. The Office Action also states that Ellis incorporates McKissick. Therefore,

Applicants are addressing claim 46 under this section because of Applicants' incorporation of claim 49 into claim 46.

Omoigui describes that live presentations can be streamed from an encoder or other server to a client computer. Additionally, information describing the presentation is registered with a search server. This information is made available for user searches only for as long as the information properly describes the live presentation. When the information no longer describes a current live presentation, the information is no longer available for searching. (Abstract)

The Office Action states that Maybury and Menard are silent on pointers being "identified to the user according to a predetermined schedule." The Office Action states that Omoigui discloses a system that allows a user to search for content in a database via a search server and discloses that "the user can request a notification identifying the beginning and end portions of the program" in Paragraph [0044].

Omoigui does not, however, disclose identifying clip pointers that identify, based on text associated with video inputs, beginning and end portions of video clips within the video inputs, as claimed in amended claim 46.

Additionally, the Office Action admits that Omoigui "is silent on the predetermined schedule of the notification" and relies on Ellis to cure the deficiencies of Omoigui.

Ellis discloses a system for providing interactive television program guide features and other features and information related to a specific user interest or programming category. All of the television programming features provided by user television equipment that relate to a specific user interest or programming category may be accessed from a niche hub. The programming features of the niche hubs may be transmitted from a server, database, or other storage facility via a television distribution facility. User television equipment may be connected via two-way communications paths to transmit messages to each other.

Ellis does not, however, cure the deficiencies of Omoigui. Ellis does not disclose identifying clip pointers that identify, based on text associated with video inputs, beginning and end portions of video clips within the video inputs, as

claimed in amended claim 46. Further, Ellis does not disclose that clip pointers are identified to the user according to a predetermined schedule, as claimed in amended independent claim 46. Ellis does disclose that a user is allowed to “request a notification when the selected movie becomes available within the guide”. (Ellis, Paragraph [0134]). Ellis does not, however, disclose identifying clip pointers that identify, based on text associated with video inputs, beginning and end portions of video clips within the video inputs.

The Office Action states that Ellis incorporates U.S. Patent Application Serial No. 09/378,533 to McKissick et al. (McKissick). The Office Action relies on McKissick to disclose that the “user is notified via a predetermined schedule of the availability of the program (Figure 19, Figure 20), the notification can identify clip pointer or the start of a requested program (Figure 19, Figure 20, Figure 23).” (Office Action, page 26).

McKissick describes a “way to notify users of upcoming television programs.” (Page 3). McKissick discloses in Figs. 19, 20, and 23 that a user can request how often the system notifies the user of “the airing of selected non-frame television programs.” (McKissick, page 35). McKissick does not, however, disclose identifying, in response to a request from the user, clip pointers that identify, based on text associated with video inputs, beginning and end portions of video clips within the video inputs, as claimed in claim 46. Further, McKissick does not disclose that clip pointers are identified to the user according to a predetermined schedule. As a result, claim 46 is allowable over the cited art.

Allowance of the independent claims is requested. The remaining claims are dependent upon an allowable independent claim and are therefore also allowable. In addition, the dependent claims add additional patentable subject matter and are also allowable for the reasons discussed below.

Dependent claim 11 claims the limitation of wherein “searching the video asset comprises searching the video asset based on text corresponding to an audio portion associated with the video asset.” Dependent claim 26 claims the limitation of wherein the video server “searches the video inputs based on text corresponding to an audio portion associated with the video inputs.” The Office



Action states that Maybury discloses the limitations claimed in claims 11 and 26 with block 117 (i.e., speech transcription) in Maybury's Fig. 1. Maybury discloses that the files representing the imagery, audio, and closed captioning text streams are fed to a Broadcast News Editor to complete various functions for segmentation and classification of the news program. Those functions include speech transcription. Maybury does not, however, disclose searching a video asset based on text corresponding to an audio portion associated with the video asset. Therefore, dependent claims 11 and 26 are allowable.

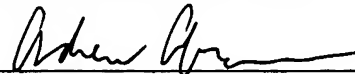
#### VI. No New Matter Has Been Added

The amendments to claims 1, 9, 21, 25, 26, 32, 33, and 46 do not add new matter. Support for the claim amendments are shown at least in paragraphs [0011], [0014], [0084] of the Specification and originally filed claims 8, 31, 42 and 49.

#### VII. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,



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